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December 17, 2019

VIA ECF

The Honorable Sarah Netburn  
U.S. District Court, Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 430  
New York, NY 10007

RE: In Re: Terrorist Attacks on September 11, 2001, 03 MDL 1570 (GBD) (SN)

Dear Magistrate Judge Netburn:

In response to this Court's December 6, 2019 Order (ECF No. 5338), counsel for the *Ashton*, *Burnett* and *O'Neill* Plaintiffs submit the attached proposed orders to be used in connection with motions for final damages judgments.

Attachment 1 is the proposed order and exhibit to be used in connection with only claims brought on behalf of the estate of a victim killed on September 11, 2001. Because some estates have previously been awarded damages for conscious pain and suffering while others have not, the proposed order allows counsel to note whether the order is for the first time issuing a damages judgment for that category of loss ("Decedent Pain and Suffering") or whether a damages judgment for that category of loss was previously awarded ("Decedent Pain and Suffering Previously Awarded.") It also provides a column that will total the estate damages, including both conscious pain and suffering damages and economic loss. Attachment 2 is the proposed order and exhibit to be used in connection with new motions for solatium damages only. Attachment 3 is the proposed order and exhibits to be used in connection with new motions that include claims brought on behalf of the estate of a victim killed on September 11, 2001 as well as solatium claims. Note that because plaintiffs have not all sued the same Iranian entities, the proposed orders will be completed with the Iranian defendants that are parties to each case.

As raised with the Court on December 13, 2019, we expect that attorneys will be submitting economic damages information for their estate clients. For example, in some cases plaintiffs' attorneys may be filing expert analysis of economic loss to estates bringing the damages figures up to present value. To facilitate the submission of such material, and to avoid potentially overloading the ECF/CM system, we ask that this Court allow such supporting materials to be filed with the Clerk of the Court on disc, with courtesy copies provided to chambers on disc, as well, with each report identified by decedent name and saved as an independent file on the disc.

December 17, 2019  
Page 2

Respectfully submitted,

KREINDLER & KREINDLER, LLP

/s/

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/s/

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/s/

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